

**Maine Revised Statutes**  
**Title 35-A: PUBLIC UTILITIES**  
**Chapter 97: EFFICIENCY MAINE TRUST ACT**

**§10119. HEATING FUELS EFFICIENCY AND WEATHERIZATION FUND**

**1. Fund established; use of money.** The Heating Fuels Efficiency and Weatherization Fund, referred to in this section as "the fund" is established. The fund is a nonlapsing fund and is administered by the trust in accordance with this section. Any interest earned on funds in the fund must be credited to the fund, and funds not spent in any fiscal year remain in the fund to be used in accordance with this section. The trust may receive and deposit in the fund funds from the following sources:

- A. Any funds collected from an assessment on heating fuels; [ 2009 , c . 372 , Pt . B , §3 (NEW) . ]
- B. Federal funds and awards that may be used for the purposes of this section; [ 2009 , c . 652 , Pt . A , §49 (AMD) . ]
- C. The proceeds of any bonds issued for the purposes of this section; [ 2009 , c . 372 , Pt . B , §3 (NEW) . ]
- D. Principal and interest received from the repayment of loans made from the fund; [ 2009 , c . 372 , Pt . B , §3 (NEW) . ]
- E. Any interest earned on investment of fund balances; and [ 2009 , c . 372 , Pt . B , §3 (NEW) . ]
- F. Any other funds from public or private sources received in support of the purposes for which the fund is established. [ 2009 , c . 372 , Pt . B , §3 (NEW) . ]

The trust may annually deposit funds received pursuant to this section into the administration fund, to a maximum in any fiscal year of 10% of the revenues received under this section.

[ 2009 , c . 652 , Pt . A , §49 (AMD) . ]

**2. Program.** All funds deposited in the fund must be administered by the trust in accordance with the following.

A. All funds deposited in the fund must be administered by the trust to reduce heating fuel consumption consistent with the purpose and targets of the trust and the triennial plan to achieve the following goal:

- (1) By 2030, to provide cost-effective energy efficiency and weatherization measures to substantially all homes and businesses whose owners wish to participate in programs established by the trust under this section. [ 2009 , c . 372 , Pt . B , §3 (NEW) . ]

B. Funds from the fund may be used only for programs that provide cost-effective energy efficiency and weatherization measures for the benefit of heating fuel customers or to efficiency service providers serving those customers and in accordance with the following.

- (1) Program categories must include low-income, single-family and 2-family residential units, multifamily residential units, small business, commercial and institutional and such other categories as the trust determines appropriate;
- (2) Within program categories, the trust may differentiate between programs for new construction and existing buildings; and

(3) Cost-effective energy efficiency measures must include measures that improve the energy efficiency of energy-using systems, such as heating and cooling systems, through system upgrades or conversions, including conversions to energy-efficient systems that rely on renewable energy sources or systems that rely on effective energy efficiency technologies. [2009, c. 372, Pt. B, §3 (NEW).]

C. Program designs approved by the trust must contain:

- (1) Incentives to consumers to purchase and install cost-effective efficiency and weatherization products and services identified by a certified energy auditor, except in the case of programs to deliver education, training or certifications;
- (2) A schedule of customer copayments and loan options for prescribed products and services. Programs for low-income consumers may provide exemptions from the copayment and schedule;
- (3) A plan for integrating delivery of heating fuel efficiency and weatherization measures with electric efficiency measures; and
- (4) A system for the equitable allocation of costs among the contributing funds or subaccounts administered by the trust when more than one efficiency opportunity is identified. [2009, c. 372, Pt. B, §3 (NEW).]

D. Other eligible program measures may include, but are not limited to, training or certification of energy auditors, insulation installers, mechanical heating system installers and maintenance technicians and building energy inspectors. [2009, c. 372, Pt. B, §3 (NEW).]

[2009, c. 372, Pt. B, §3 (NEW).]

**3. Rulemaking.** The board may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[2009, c. 372, Pt. B, §3 (NEW).]

**4. Effective date.** This section takes effect July 1, 2010.

[2009, c. 372, Pt. B, §3 (NEW).]

#### SECTION HISTORY

2009, c. 372, Pt. B, §3 (NEW). 2009, c. 652, Pt. A, §49 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 127th Maine Legislature and is current through October 1, 2016. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.